

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

3:06-cr-453

UNITED STATES OF AMERICA )

vs. )

STONEY GRANT (3) )  
\_\_\_\_\_ )

O R D E R

**THIS MATTER** is before the Court upon letter of the defendant, pro se, requesting a reduction of his sentence pursuant to Federal Rule of Criminal Procedure 35(b). (Doc. No. 77).

The defendant asserts that he has provided assistance to law enforcement in Detroit. Federal Rule of Criminal Procedure 35(b) clearly states that the government must file a motion before the Court can reduce a sentence based on substantial assistance. United States v. Francois, 889 F.2d 1341, 1345 (4th Cir. 1989). Therefore, the defendant is not eligible for relief.

The defendant also requests that the Court grant him permission to file a direct appeal of his sentence. The defendant's Judgment was entered on September 13, 2008. Therefore, the Court is without authority to grant the defendant's request. Fed. R. App. P. 4(b)(4).

**IT IS, THEREFORE, ORDERED** that the defendant's motion is **DENIED**.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, and to the United States Attorney.

Signed: December 20, 2011



Robert J. Conrad, Jr.  
Chief United States District Judge

